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UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

**CAICAI WU, BERNHARD WEIGL,
MARGARET A. KENNY and PAUL YAGER**

**Junior Party
(U.S. Patent No. 6,221,677)¹**

v.

**J. WALLACE PARCE, ANNE R. KOPF-SILL
and LUC J. BOUSSE**

**Senior Party
(Application 09/975,500)²**

Patent Interference No. 105,340

Before LEE, SPIEGEL and MEDLEY, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment – Bd. Rule 127(b)

¹ Based on application 09/335,930, filed June 18, 1999. The real party in interest is the University of Washington. Accorded the benefit of application 08/938,585, filed September 26, 1997.

² Filed October 11, 2001. The real party in interest is Caliper Life Sciences, Inc. Accorded the benefit of application 09/346,660, filed July 1, 1999, and application 08/671,987, filed June 28, 1996.

FAXED

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**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Interference No. 105,340
Wu v. Parce

Senior party Parce has filed a request for entry of adverse judgment. The request is herein **granted**. It is

ORDERED that judgment as to the subject matter of Count 1 is herein entered against senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J. BOUSSE;

FURTHER ORDERED that judgment as to the subject matter of Count 2 is herein entered against senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J; BOUSSE;

FURTHER ORDERED that senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J. BOUSSE is not entitled to its application claims 75, 76 and 77 which correspond to Count 1;

FURTHER ORDERED that senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J. BOUSSE is not entitled to its application claims 78-85 which correspond to Count 2;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

FURTHER ORDERED that a copy of this judgment be placed in the respective involved application or patent of the parties.

Interference No. 105,340
Wu v. Parce

<u>/ss/ Jameson Lee</u>)	
JAMESON LEE)	
Administrative Patent Judge)	
)	
)	
)	
<u>/ss/ Carol A. Spiegel</u>)	BOARD OF PATENT
CAROL A. SPIEGEL)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
<u>/ss/ Sally C. Medley</u>)	
SALLY C. MEDLEY)	
Administrative Patent Judge)	

Interference No. 105,340

Wu v. Parce

By Facsimile:

Counsel for Junior Party Wu:

206-682-6031 (Fax)

Karl Hermanns, Esq.

SEED Intellectual Property Law Group

701 Fifth Avenue, Suite 6300

Seattle, Washington 98104-7092

Attorney for senior party Parce:

650-623-0504 (Fax)

Don McKenna, Esq.

Caliper Life Sciences, Inc

605 Fairchild Drive

Mountain View, California 94043-2234